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BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF )  
BOWIE POWER STATION, LLC, IN )  
CONFORMANCE WITH THE REQUIREMENTS )  
OF ARIZONA REVISED STATUTES 40-360.03 )  
AND 40-360.06, FOR TWO CERTIFICATES OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING CONSTRUCTION OF A )  
NOMINAL 1,000 MEGAWATT NATURAL )  
GAS-FIRED, COMBINED-CYCLE POWER )  
PLANT, 345KV and 345KV/230KV )  
SWITCHYARDS, 345KV DOUBLE-CIRCUIT )  
TRANSMISSION LINE AND 230KV )  
INTERCONNECTION AND RELATED )  
FACILITIES IN COCHISE AND GRAHAM )  
COUNTIES, ARIZONA. THE PROPOSED )  
POWER STATION SITE IS LOCATED IN )  
SECTIONS 28 AND 29, TOWNSHIP 12 SOUTH, )  
RANGE 28 EAST, AND THE PROPOSED )  
TRANSMISSION LINE ROUTE IS LOCATED IN )  
TOWNSHIP 12 SOUTH, RANGE 28 EAST, )  
TOWNSHIP 11 SOUTH, RANGE 28 EAST, )  
TOWNSHIP 11 SOUTH, RANGE 27 EAST, AND )  
TOWNSHIP 11 SOUTH, RANGE 26 EAST, GILA )  
AND SALT RIVER BASE AND MERIDIAN. )

DOCKET NO. L00000BB-01-0118

(Case No. 118)

NOTICE OF FILING DECISION  
(TRANSMISSION LINE)

AZ CORP COMMISSION  
DOCUMENT CONTROL

2002 JAN - 3 P 1:54

RECEIVED

The Arizona Power Plant and Transmission Line Siting Committee hereby gives notice of  
filing its decision and order, approving the application of BOWIE POWER STATION, LLC, for a  
Certificate of Environmental Compatibility relating to its Transmission Line.

The Decision and Order are in the form attached hereto.

Dated this 3<sup>RD</sup> day of Jan, 2002.

Arizona Corporation Commission  
**DOCKETED**

JAN 03 2002

DOCKETED BY MR

ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING  
COMMITTEE

By: Laurie A. Woodall

Laurie A. Woodall  
Chairman

1 Pursuant to A.A.C. R14-3-204,  
the original and twenty-five copies of this Notice were  
2 filed this 3 day of JAN, 2002 with:

3 Arizona Corporation Commission  
Docket Control  
4 1200 West Washington  
Phoenix AZ 85007

5 COPIES of the foregoing Notice  
6 mailed/hand-delivered this  
3 day of JAN, 2002 to:

7 Lawrence V. Robertson, Jr., Esq.  
8 Munger Chadwick, PLC  
National Bank Plaza  
9 333 North Wilmot, Suite 300  
Tucson AZ 85711

10 Jonathan Bruser  
11 Tom C. Wray, Transmission & Resources Mgr.  
Southwestern Power Group II, LLC  
12 4350 E. Camelback Road, Suite B-175  
Phoenix AZ 85018

13 Larry D. Rains, City Manager  
14 Office of the City Manager  
City of Willcox  
15 101 South Railroad Avenue, Suite B  
Willcox AZ 85643

16 Matthew H. Bilsbarrow, RPA  
17 Compliance Specialist/Archaeologist  
State Historic Preservation Office  
18 Arizona State Parks  
1300 West Washington  
19 Phoenix AZ 85007

20 Wayne Bryant  
United Assoc. of Plumbers and  
21 Steamfitters Local 741  
2475 East Water Street  
22 Tucson AZ 85719-3455

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1                                   **BEFORE THE ARIZONA POWER PLANT AND**  
2                                   **TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION OF )  
4 BOWIE POWER STATION, LLC, IN )  
5 CONFORMANCE WITH THE REQUIREMENTS OF )  
6 ARIZONA REVISED STATUTES 40-360.03 AND )  
7 40-360.06, FOR TWO CERTIFICATES OF )  
8 ENVIRONMENTAL COMPATIBILITY )  
9 AUTHORIZING CONSTRUCTION OF A NOMINAL )  
10 1,000 MEGAWATT NATURAL GAS-FIRED, )  
11 COMBINED-CYCLE POWER PLANT, 345KV and )  
12 345KV/230KV SWITCHYARDS, 345KV )  
13 DOUBLE-CIRCUIT TRANSMISSION LINE AND )  
14 230KV INTERCONNECTION AND RELATED )  
FACILITIES IN COCHISE AND GRAHAM )  
COUNTIES, ARIZONA. THE PROPOSED POWER )  
STATION SITE IS LOCATED IN SECTIONS 28 AND )  
29, TOWNSHIP 12 SOUTH, RANGE 28 EAST, AND )  
THE PROPOSED TRANSMISSION LINE ROUTE IS )  
LOCATED IN TOWNSHIP 12 SOUTH, RANGE 28 )  
EAST, TOWNSHIP 11 SOUTH, RANGE 28 EAST, )  
TOWNSHIP 11 SOUTH, RANGE 27 EAST, AND )  
TOWNSHIP 11 SOUTH, RANGE 26 EAST, GILA )  
AND SALT RIVER BASE AND MERIDIAN. )

CASE NO. L00000BB-01-0118

(Case No. 118)

DECISION NO. \_\_\_\_\_  
(TRANSMISSION LINE)

15                   **DECISION OF THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING**  
16                   **COMMITTEE AND CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

17           Pursuant to notice given, as provided by law, the Arizona Power Plant and Transmission Line  
18 Siting Committee ("Committee") held public hearings at the Best Western Plaza, 1100 West Rex Allen  
19 Drive, Willcox, Arizona on October 11-12, 2001, and at the Embassy Suites, 1515 North 44<sup>th</sup> Street,  
20 Phoenix, Arizona on December 10-11, 2001, in conformance with the requirements of Arizona Revised  
21 Statutes §40-360 et. seq., for the purpose of receiving evidence and deliberating upon the Application  
22 of Bowie Power Station, L.L.C. and its assigns ("Applicant") for a Certificate of Environmental  
23 Compatibility ("Certificate") in the above-captioned case.

24           The following members and designees of members of the Committee were present for all or  
25 portions of the evidentiary presentation during the aforesaid hearings and deliberations and vote on the  
26 Application:

27                           Laurie A. Woodall

Chair, and Designee for Arizona  
Attorney General

28                           Ray Williamson

Designee for Chairman of  
Arizona Corporation Commission

1	Mark McWhirter	Designee for Director of Energy Office of Arizona Department of Commerce
2	Patrick Schiffer	Designee for Director of Arizona Department of Water Resources
3	Richard Tobin	Designee for Director of Arizona Department of Environmental Quality
4	Jeff McGuire	Appointed Member
5	Mike Palmer	Appointed Member
6	A. Wayne Smith	Appointed Member
7	Sandie Smith	Appointed Member
8	Margaret Trujillo	Appointed Member
9	Mike Whalen	Appointed Member

12 The Applicant was represented by Lawrence V. Robertson, Jr. The Arizona Corporation  
 13 Commission ("Commission") staff was represented by Jason B. Gellman. Wayne Bryant appeared on  
 14 his own behalf as an individual intervenor.

15 At the conclusion of the public hearings, after consideration of (i) the Application and the  
 16 evidence presented during the public hearings, (ii) the closing arguments of the parties, and (iii) the  
 17 legal requirements of Arizona Revised Statutes § 40-360 through § 40-360.13 and A.A.C. R14-3-213,  
 18 upon motion duly made and seconded, by a 10-0 vote the Committee voted to grant the Applicant the  
 19 following Certificate.

20 Applicant is hereby granted a Certificate to site and construct the following facilities, as  
 21 requested in the Application: (i) a double-circuit 345 kV transmission line, which shall interconnect  
 22 Applicant's Bowie Power Station facilities with the Western Systems Coordinating Council ("WSCC")  
 23 transmission grid at Tucson Electric Power Company's ("TEP") 345 kV Greenlee-Vail transmission  
 24 line and Arizona Electric Power Company's ("AEP") 230 kV Red Tail-Dos Condados Transmission  
 25 Line; and (ii) the new Willow 345/230 kV switchyard [Sec.14, T11S, R26E, G&SRB&M], through  
 26 which the aforesaid interconnections will be accomplished. As testified to by the Applicant during the  
 27 public hearings, electric power and energy produced at the Bowie Power Station are intended primarily  
 28 to serve Southeastern Arizona markets.

1 The double-circuit 345 kV transmission line hereby authorized shall originate at Applicant's  
2 Bowie Power Station and follow the route proposed by Applicant in its Application for a distance of  
3 approximately 14.3 miles to the point of interconnection with the proposed Willow switchyard. In that  
4 regard, Applicant is further authorized to use a 2500' wide corridor within which it will ultimately  
5 acquire up to a 250' wide right-of-way for purposes of siting and construction of the line. Exhibit "A"  
6 to this Decision and Certificate sets forth a generalized narrative legal description of the routing hereby  
7 approved for the double-circuit 345 kV transmission line. Exhibit "B", as attached hereto, consists of  
8 a map depicting the aforementioned 345 kV transmission line corridor.

9 The authorized double- circuit 345 kV transmission line shall be designed and constructed on  
10 single-pole or monopole structures. The monopole structures shall consist of dulled galvanized steel.  
11 The conductors shall be non-specular. The spans between the transmission structures shall vary in  
12 distance from 800' to 1100' depending upon conductor size, terrain and environmental mitigation  
13 conditions at a given location.

14 The details of the aforementioned interconnections shall be the subject of contractual  
15 arrangements to be entered into between the Applicant and TEP, and the Applicant and AEPCO,  
16 respectively.

17 This Certificate is further granted upon the following conditions.

18 1. Applicant shall comply with all existing applicable air and water pollution control  
19 standards and regulations, and with all existing applicable ordinances, master plans and  
20 regulations of the State of Arizona, Cochise County and Graham County, the United  
21 States of America, and any other governmental entities having jurisdiction.

22 2. A) Applicant shall make every reasonable effort to identify and correct, on a case-  
23 specific basis, all complaints of interference with radio or television signals from  
24 operation of the lines and related facilities. In addition to any transmission  
25 repairs, and depending upon the circumstances, the relevant corrective actions  
26 may include, adjusting or modifying receivers, adjusting or repairing, replacing  
27 or adding antennas, antenna signal amplifiers, filters, lead-in cables, or other  
28 corrective actions.

1 B) Applicant shall maintain written records for a period of 5 years of all complaints  
2 of radio or television interference attributable to operation of the lines, together  
3 with the corrective action taken in response to each complaint. All complaints  
4 shall be recorded to include notations on the corrective action taken.  
5 Complaints not leading to a specific action or for which there was no resolution  
6 should be noted and explained. The record shall be signed by the Project owner  
7 and also the complainant, if possible, to indicate concurrence with the corrective  
8 action or agreement with the justification for a lack of action.

9 C) Applicant shall advise interested persons how they may express concerns or  
10 submit complaints to Applicant or the Commission when they believe the  
11 transmission line and related facilities herein authorized are creating noise in  
12 excess of applicable HUD standards or causing interference with  
13 communications signals in excess of applicable FCC standards. Such complaints  
14 as may be filed with the Commission shall be processed pursuant to those  
15 provisions of A.A.C. R14-2-212 (A) and (C) applicable to service disputes.

16 3. Within 45 days of securing complete easements or rights-of-way, for the entire  
17 alignment of the transmission lines hereby authorized, Applicant shall erect and  
18 thereafter maintain signs providing public notice that such easements and rights-of-way  
19 are the site of future transmission lines. Such signs shall be (i) no smaller than a  
20 standard highway information sign, and (ii) prominently placed at reasonable locations  
21 in close proximity to the proposed centerline of the transmission alignments which are  
22 accessible to the public. Further, such signs shall advise:

23 A) that the site has been approved for the construction of Project facilities,  
24 including a 345 kV transmission line, as applicable to the individual site;

25 B) the expected date of completion of the Project facilities; and

26 C) a phone number for public information regarding the Project.

27 In the event that the Project requires an extension of the term of this Certificate prior to completion of  
28 construction, Applicant shall use reasonable means to directly notify all landowners and residents within

1 a one mile radius of the Project facilities of the time and place of the proceeding in which the  
2 Commission shall consider such request for extension.

3 4. A) Applicant shall continue to consult with the Arizona State Historic Preservation  
4 Office ("SHPO") and the Arizona State Land Department concerning the  
5 identification and treatment of those cultural resources, if any, situated within  
6 the area of potential effect from the transmission lines. Applicant shall comply  
7 with existing state laws concerning the treatment of cultural resources on  
8 private and state land, including A.R.S. §§ 41-841 to 41-846, A.R.S. §§ 41-861  
9 to 41-864, and A.R.S. § 41-865.

10 B) In addition, Applicant's construction contract(s) for the transmission lines shall  
11 include a provision that (i) Applicant shall cooperate with SHPO to develop and  
12 implement a mitigation plan, and (ii) an archaeologist permitted by the Arizona  
13 State Museum shall conduct on-site monitoring during construction. Further,  
14 to the extent applicable, Applicant shall adhere to and implement the mitigation  
15 measures suggested in SHPO's August 14, 2001, letter to the Chairman of the  
16 Siting Committee, which was received into evidence as Exhibit No. C-3.

17 C) After construction, Applicant shall allow Arizona Site Stewards, a volunteer-  
18 staffed SHPO program, to periodically inspect any archaeological or cultural  
19 resource sites then existing within transmission corridors controlled by  
20 Applicant for vandalism or damage.

21 5. A) In connection with the final design, routing and construction of the transmission  
22 lines, Applicant shall, wherever feasible utilize the following general criteria:  
23 use existing or overland access; minimize vegetation clearing and ground  
24 disturbance; revegetate or restore areas of construction disturbance; use dulled,  
25 monopole transmission structures; and, if necessary, complete Native Plant  
26 Inventory and develop plant salvage program prior to construction.

27 B) In addition, before construction of the transmission facilities may commence,  
28 Applicant shall file a construction mitigation and restoration plan with the

Commission's Docket Control section. The goals of the plan shall be to avoid environmental impacts where practicable; and where impacts are unavoidable, to minimize such impacts and focus on-site preparation to facilitate the natural process of revegetation. Other key elements of the plan shall include the following:

- (1) emphasize final site preparation to encourage natural revegetation;
- (2) avoid (i.e. preserve), where practicable, mature native trees;
- (3) stipulating maximum construction corridor width, preserve topsoil and plant materials from the right-of-way before grading, and respread over the right-of-way after construction is complete;
- (4) imprint the restored right-of-way, and provide indentations to catch seed and water;
- (5) implement best management practices to protect the soil;
- (6) apply restoration methods that have been shown to work in the desert environment;
- (7) prevent the spread of noxious weeds or other undesirable species; and
- (8) implement measures to discourage unauthorized off-highway vehicle use of right-of-way.

Within one year of completion of the Project, Applicant shall rehabilitate to its original state any area disturbed by construction of the Project, except for any road that may be necessary to access the transmission lines for maintenance and repair.

- (C) The edge of each transmission line structure shall be offset at least 100' from the edge of any natural gas pipeline(s) rights-of-way, if any, which the transmission line(s) may parallel.



- 1       6.     Applicant shall be responsible for arranging that all field personnel involved in the  
2       Project receive training as to proper ingress, egress and on-site working protocol for  
3       environmentally sensitive areas and activities. Contractors employing such field  
4       personnel shall maintain records documenting that the personnel have received such  
5       training.
- 6       7.     Prior to construction of any Project transmission facilities, Applicant shall provide the  
7       Commission with copies of any Agreement(s) it enters into with the entity or entities  
8       it selects to own and operate the 345 kV transmission facilities. Such Agreement(s)  
9       shall be filed with the Commission within 30 days of execution of such Agreement(s).
- 10      8.     Prior to construction of any Project transmission facilities, Applicant shall provide the  
11      Commission with copies of the transmission interconnection agreement(s) it ultimately  
12      enters into with any transmission provider(s) with whom it is interconnecting within 30  
13      days of execution of such agreement(s).
- 14      9.     Applicant shall continue to participate in good faith in State and regional transmission  
15      study forums, including the Central Arizona Transmission Study, to identify and  
16      encourage expedient implementation of transmission enhancements to reliably deliver  
17      power from the Project through the WSCC transmission grid.
- 18      10.    This authorization to construct the aforementioned facilities shall expire five (5) years  
19      from the date this Certificate is approved by the Commission, unless construction is  
20      completed to the point that the 345 kV transmission line is capable of operating by that  
21      time; provided, however, that prior to such expiration Applicant may request that the  
22      Commission extend this time limitation; and, provided further that, in any event,  
23      Applicant shall complete construction of the aforementioned facilities prior to the date  
24      the Bowie Power Station is ready for operation.

1 GRANTED this 3<sup>RD</sup> day of January, 2002.  
2

3 Arizona Power Plant and Transmission Line  
4 Siting Committee

5 By: Laurie A. Woodall  
6 Laurie A. Woodall, Chair

7 Decision No. \_\_\_\_\_  
8

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1 APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION

2  
3 Commissioner

Commissioner

Commissioner

4  
5 In Witness Hereof, I, Brian C. McNeil, Executive Secretary of the Arizona Corporation  
6 Commission, set my hand and cause the official seal of this Commission to be affixed, this \_\_\_\_  
day of \_\_\_\_\_, 2002.

7  
8 By

Brian C. McNeil  
Executive Secretary

9  
10  
11  
12 Dissent: \_\_\_\_\_

13  
14 219038.1

## **EXHIBIT A**

### **Legal Description: Proposed Route of Bowie 345kV Transmission Line**

As shown on General Corridor Map (Exhibit B), a strip of land 2,500 feet in width and being located in Cochise and Graham Counties, Arizona, the centerline of said strip of land being described as follows:

Beginning at the Northwest boundary of the Bowie Power Station's 345kV switchyard, located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, Township 12 South, Range 28 East, Gila and Salt River Base and Meridian, Cochise County Arizona, said point being located at Latitude 32°21'54"N, Longitude 109°30'8"W;

Thence Northwesterly 959 feet to a point located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, T12S, R28E at Latitude 32°22'2"N, Longitude 109°30'13"W;

Thence North-northwesterly paralleling the Arizona Eastern Railroad 18,965 feet to a point located in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 6, T12S, R28E, Graham County, Arizona, at Latitude 32°25'3"N, Longitude 109°31'11"W;

Thence Northwesterly crossing the Arizona Eastern Railroad 13,653 feet to a point located in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 26, T11S, R27E at Latitude 32°26'31"N, Longitude 109°33'12"W;

Thence Westerly 11,901 feet to a point located in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 28, T11S, R27E at Latitude 32°26'29"N, Longitude 109°35'31"W;

Thence West-northwesterly 6,079 feet to a point located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 29, T11S, R27E at Latitude 32°26'46"N, Longitude 109°36'39"W;

Thence Westerly 11,000 feet to a point in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 25, T11S, R26E at Latitude 32°26'47"N, Longitude 109°38'47"W;

Thence Northwesterly 10,938 feet to a point in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 14, T11S, R26E at Latitude 32°28'20"N, Longitude 109°39'52"W;

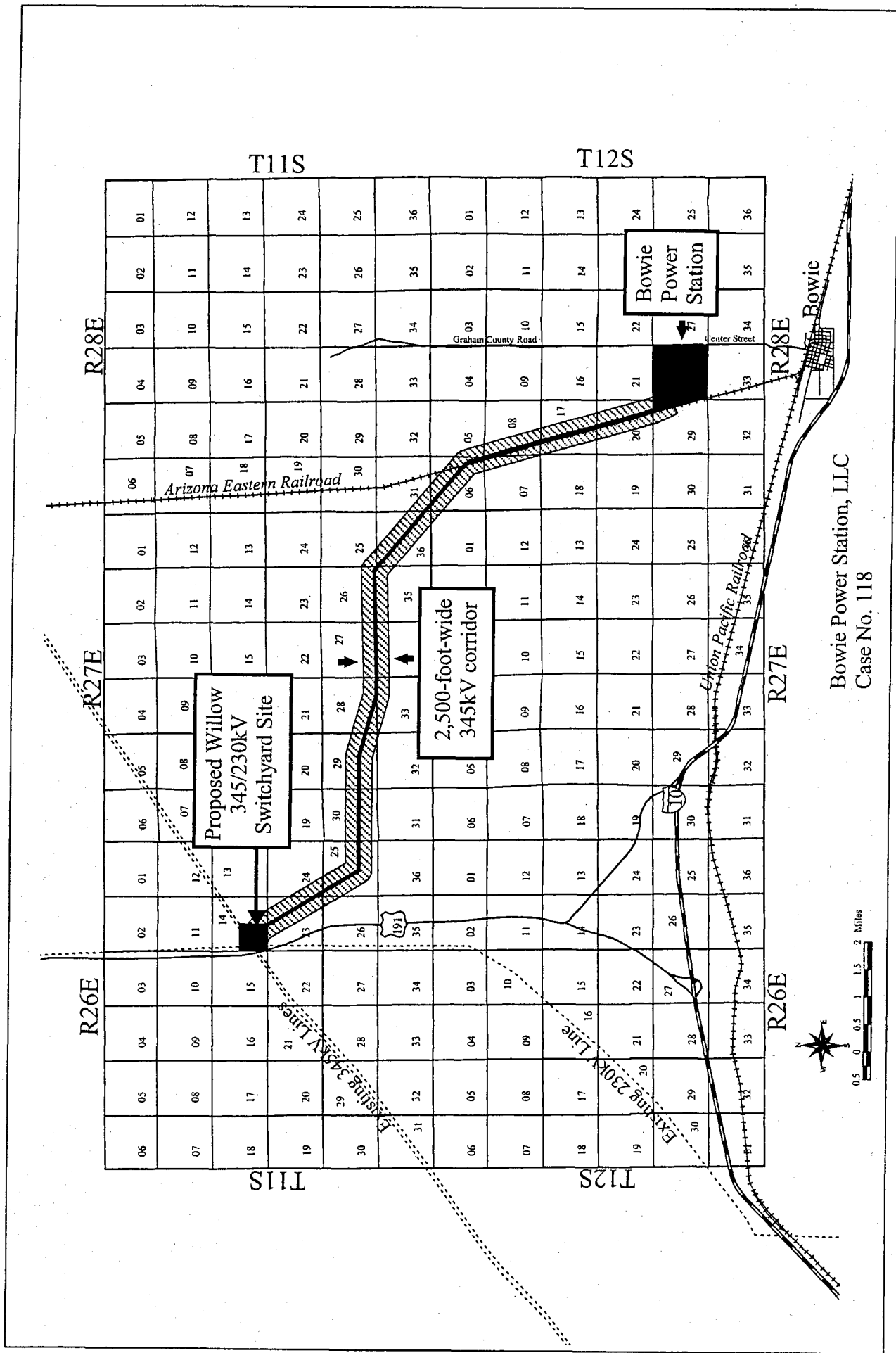
Thence West-northwesterly to a point in the SW  $\frac{1}{4}$  of Section 14, T11S, R26E; said point being the point of terminus at the proposed interconnection of the Bowie 345kV transmission line with either or both the 345kV Springerville-Vail and 345kV Greenlee-Vail transmission lines at or near the proposed Willow Switchyard (substation) site.

### **Proposed Willow Switchyard (substation)**

The proposed Willow Switchyard will be located on a parcel of land of approximately 23 acres within the SW  $\frac{1}{4}$  of Section 14, Township 11 South, Range 26 East, Gila and Salt River Base and Meridian, Graham County, Arizona.

# Bowie 345kV Transmission Line General Corridor Map

EXHIBIT B



Bowie Power Station, LLC  
Case No. 118